

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN THE MATTER OF:

DILIP JANA
Plaintiff,

v.

WALMART, INC.,
Defendant.

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Civil Action No. 4:24-cv-00698-SDJ-BD

FILED

JUL 07 2025

CLERK, U.S. DISTRICT COURT
TEXAS EASTERN

[PROPOSED] ORDER FOR CRIMINAL REFERRAL AND SANCTIONS

Before the Court is Plaintiff's Motion **PLAINTIFF'S MOTION FOR CRIMINAL REFERRAL AND SANCTIONS (Dkt 72)** .

Having considered the Motion, the filings, and the record, the Court finds that the Motion should be and is hereby GRANTED. Accordingly, it is:

ORDERED that:

1. Referral for Investigation

Walmart Inc., Adrian Milbourne, Peter Wahby, Morgan Jones, Holmes Hampton, and Walmart's legal department are hereby referred to the United States Attorney's Office and the Federal Bureau of Investigation for investigation under 18 U.S.C. §§ 1001, 1503, 1519, and 1621 regarding potential false statements, obstruction of justice, destruction or alteration of evidence, and perjury in connection with the above-captioned litigation.

2. Preservation of Litigation

This litigation shall proceed without delay while the referral for investigation is pending, ensuring that the integrity of these proceedings is preserved during the ongoing case.

3. Sanctions Under Rule 37(b)(2) and Rule 26(g)

The Court imposes the following sanctions on Walmart Inc.:

- Walmart's defenses relying on EXHIBIT 1 and EXHIBIT 2 (Complaint Dkt. 13) are hereby stricken.
- Walmart is prohibited from asserting any "same decision" affirmative defense absent sworn confirmation under oath from an authorized corporate representative under penalty of perjury.
- Monetary sanctions will be imposed in favor of Plaintiff upon submission of a sworn cost affidavit detailing expenses incurred due to Walmart's misconduct.

4. Discovery Compliance Orders

Walmart is ORDERED to provide a sworn YES/NO confirmation to Interrogatory No. 2, within 7 days of this Order and to fully answer Interrogatories Nos. 3 and 4 within 7 days. Failure to comply will entitle Plaintiff to move for **Default Judgment** under Rule 37(b)(2) without further warning.

5. Additional Relief

The Court grants any further relief deemed just and necessary to protect the integrity of these proceedings and the public's interest in the fair administration of justice.

This Order is entered to protect the integrity of these proceedings, uphold Plaintiff's statutory rights under the Criminal Antitrust Anti-Retaliation Act (CAARA) and the Sarbanes-Oxley Act (SOX), and prevent the judicial process from being manipulated through a calculated pattern of obstruction and deception.

SIGNED this ____ day of _____, 2025.

Hon. Bill Davis

UNITED STATES MAGISTRATE JUDGE